

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

MARC MATA and SLETTA MATA, a  
married couple,

Plaintiffs,

v.

WASTE CONTROL, INC.,

Defendant.

NO.

COMPLAINT FOR DAMAGES

**JURY DEMANDED**

COME NOW the Plaintiffs, Marc Mata and Sletta Mata, and allege as follows:

**I. PARTIES**

1.1 Plaintiff Marc Mata is an individual who is now and at all times material hereto has been a resident of Cowlitz County, Washington.

1.2 Plaintiff Sletta Mata is an individual who is now and at all times material hereto has been a resident of Cowlitz County, Washington.

1           1.3     Defendant Waste Control, Inc. is a for-profit corporation with a principal place  
2 of business in the State of Texas.

3                               **II.     JURISDICTION AND VENUE**

4           2.1     This Court has subject-matter jurisdiction over this action pursuant to 28 U.S.C.  
5 §1332 because the parties are citizens of different states and the amount in controversy exceeds  
6 \$75,000.

7           2.2     This Court has personal jurisdiction over Waste Control, Inc.

8           2.3     Venue is proper in this Court pursuant to 28 U.S.C. §1391(b)(2) because a  
9 substantial part of the events or omissions giving rise to the claim occurred in this judicial  
10 district.

11                               **III.   ALLEGATIONS**

12           3.1     On July 3, 2019, at approximately 4:55 p.m., Waste Control employee Scott  
13 Caldwell hit Marc Mata's truck with his drop box garbage truck at the intersection of Hudson  
14 Street and 3<sup>rd</sup> Avenue in Longview, Washington.

15           3.2     At the time Caldwell hit Mr. Mata, Mr. Mata was on duty driving a tow truck for  
16 his employer.

17           3.3     At the time Caldwell hit Mr. Mata, Mr. Mata had a green light to turn West onto  
18 Hudson Street while Caldwell had a red light.

19           3.4     Caldwell drove straight through the red light due to being distracted by his phone  
20 in his vehicle.

1           3.5     Caldwell owed plaintiff a duty to obey all rules of the road, including following  
2 traffic controls and driving with reasonable care and caution.

3           3.6     At the time Caldwell hit Mr. Mata, he was on duty for his employer, acting  
4 within the scope of his employment.

5           3.7     Caldwell's negligent driving was the direct and proximate cause of various  
6 injuries to Mr. Mata and his wife, Sletta.

7           3.8     In addition to physical injuries, Caldwell's negligent driving caused Mr. Mata a  
8 variety of damages including reasonable and necessary medical expenses, pain and suffering,  
9 economic loss, diminution of earning capacity, residual permanent symptoms, and such other  
10 economic and non-economic damages as shall be established in this proceeding.

11          3.9     Caldwell's negligent driving caused Mrs. Mata to suffer loss of society.

12                               **IV.    CAUSES OF ACTION**

13          4.1     By this reference, each of the claims asserted in this action incorporates the  
14 allegations that precede and follow the claim.

15          4.2     All the injuries alleged herein were caused by Defendant's negligent conduct.

16                               **V.    CONCLUSION**

17          5.1     Plaintiff seeks a judgment against Waste Control, Inc. as follows:

- 18               • Judgment for all damages awardable under the law;
- 19               • Prejudgment and post-judgment interest to the extent authorized by law;
- 20               • Such other relief as the Court deems just and equitable.
- 21

1 DATED this 13<sup>th</sup> day of September, 2021.

2  
3  
4 By: 

Meredith A. Long, WSB #48961  
LAW OFFICE OF MEREDITH A LONG PLLC  
Co-Counsel for Plaintiffs  
1315 14<sup>th</sup> Avenue  
Longview, WA 98632  
(360) 998-3030  
attorney.m.long@gmail.com

5  
6  
7  
8  
9  
10 By: 

Duane C. Crandall, WSB #10751  
CRANDALL O'NEILL, P.S.  
Co-Counsel for Plaintiffs  
1447 3<sup>rd</sup> Avenue  
Longview, WA 98632  
(360) 425-4470  
dcrandall@longviewlaw.com